

DETAILED ACTION

Response to Amendment

1. Applicant's amendments, filed 11/30/2009, have been fully considered and reviewed by the examiner. The examiner notes the amendment to the claims and the cancellation of claims 1, 3, 11-12. Claims 2, 4-10, 13-15 are pending in the instant application. In view of the amendment to the claims, the Remarks dated 11/30/2009 and the agreed upon claim amendments, the examiner has withdrawn the 35 USC 112 1st paragraph rejection.

The examiner notes the amendment to the abstract and specification; such amendments have been considered and are accepted by the examiner.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Grant Pollack on 12/27/2009.

The application has been amended as follows:

IN THE CLAIMS

Claim 4, line 4, after "which comprises elemental sulphur, or a composition"
please insert "comprising elemental sulphur and is"

Claim 10, line 4, after "which comprises elemental sulphur, or a mixture" please
insert "comprising elemental sulphur and is"

Claim 13, line 4, after "that includes elemental sulphur, or a mixture" please insert
"comprising elemental sulphur and is"

Claim 15, line 3, after "which comprises elemental sulphur, or a mixture" please
insert "comprising elemental sulphur and is"

3. The following is an examiner's statement of reasons for allowance: None of the prior art cited or reviewed by the examiner, alone or in combination, makes obvious the claimed bath composition, specifically, the proposed components and concentration of each component as presently claimed. The amendment to the claims overcomes the prior art rejection and the 35 USC 112 1st paragraph rejection for the reasons set forth in the Remarks dated 11/30/09 and for the reasons set forth in the attached Interview Summary.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID TUROCY whose telephone number is (571)272-2940. The examiner can normally be reached on Monday, Wednesday and Friday from 7 a.m. - 6 p.m., Tuesday and Thursdays 7-10 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Turocy/
Primary Examiner, Art Unit 1792